

PLANNING BOARD

TOWN OF TISBURY
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MEETING MINUTES

DATE: December 15, 2021

TIME: 5:00 PM

ATTENDANCE: Alexander, Doble, Miller, Munafo and Robinson

PLACE: Due to ongoing efforts to prevent spread of Covid-19 this meeting will be held remotely via Zoom platform. The Public can attend and participate in the meeting by the following method:

Join Zoom Meeting

<https://zoom.us/j/93068330870>

Meeting ID: 930 6833 0870

One tap mobile

+16468769923,,93068330870# US (New York)

MINUTES: As referred in the December 1, 2021, Meeting Agenda

APPOINTMENTS:

5:00 PM Board Discussion

Attendance: Liz Volchok, Louisa Hufstader (Gazette)

Development Guidelines for Prospective Applicants

Board members were directed to the development guidelines that was screen shared. B. Robinson reminded the Board that there were a couple of concepts that needed to be clarified and refined. The first pertained to the definition of a “low impact development techniques”. He advised the Board that he did some research on the standard term and learned that it related to natural solutions to storm water such as rain gardens. He wanted to confirm if that was in fact what R. Seavey intended to address in the draft.

E. Miller inquired if it would apply to X. Agassipour’s proposal. B. Robinson replied in the affirmative, noting that it would apply to any project where they’d want to incorporate low impact stormwater solutions.

B. Robinson inquired if they've confirmed with town counsel whether the Planning Board could require as opposed to strongly recommend a pre-application conference. He informed the Board that R. Seavey did not believe they could mandate it. C. Doble preferred that they require the preapplication conference because it would streamline their application process. C. Alexander noted that the Town of Framingham mandated it. B. Robinson thought they'd have to add the requirement in their bylaws. E. Miller agreed and wanted to make it mandatory. B. Robinson asked board staff to follow through with town counsel to confirm whether they could make it mandatory and if they should include the requirement in their regulations as opposed the guidelines.

B. Robinson referred to the section entitled Environment and explained that he added the text under No. 2 to replace the first entry. He mentioned that he incorporated a narrative requesting applicants to preserve and repurpose construction materials and to conserve energy. E. Miller understood but felt that they were going to have to provide more detail. C. Doble inquired if he was also asking applicants to document the production of the products. B. Robinson explained that he was much more interested in the sourcing of the materials. C. Doble thought he would have to provide more details because it was not that clear. B. Robinson noted that in a conversation with D. Bellante Holand, they felt that the guidelines would have to be supplemented with a document that would provide the details, where they could tease out what they wanted. He thought they could either work on that document or wait to develop it during the Master Plan process. C. Doble reiterated that the text "and elsewhere where materials and energy may originate" was too vague and confusing. She recommended removing the red text. B. Robinson understood and suggested removing "immediate area" from the new paragraph.

B. Robinson noted that board staff was asked to edit and refine the section entitled "Compliance". R. Seavey joined the discussions at 5:14 PM and board staff screen shared the section highlighting the one revision in which a fifth requirement was added. The text read as:

A development narrative addressing each of the elements identified in the development guidelines above. The more complete the narrative, the more feedback the Planning Board will be able to provide on what additional information will be needed, or what development guideline requirements could be waived for the formal application.

C. Alexander noted that the document did not appear to be regulatory. B. Robinson concurred noting that the guidelines were intended to delineate the information expected of the applicants, to provide the Board information about the scope of the project and to give both parties an opportunity to determine if they needed additional information to address any potential issues that the applicant should be made aware of.

E. Miller was of the impression that they would be able to refuse or reject an application if they did not comply with the guidelines. C. Alexander was not sure that was the case, and thought they should confer with town counsel. R. Seavey did not believe they could reject the application because they did not submit information. He felt they could do so if

the applicant did not provide the information to meet their requirements, or adequate to make a determination.

C. Doble thought they could use the guidelines and pre-application conference to tell the applicant what they need and expect in terms of the documentation and to inform them of the issues they'd like the applicant to address. She felt it would eliminate the delays in the review process experienced when they wait on the applicant to provide the information lacking in their application. It was a very frustrating experience for her.

R. Seavey thought the guidelines gave the applicant an understanding of the type of information the Board needed to make a determination. They could not use the guideline to prevent an applicant from submitting an application, because that was governed by MGL Chapter 40A. Once the applicant submitted an application, the Board had the authority to request the information they needed to render a decision.

B. Robinson asked Board members if they were prepared to vote on the draft, with the caveat that the final draft would have to be reviewed by town counsel. C. Doble seconded the motion. B. Robinson roll called the Board: Alexander, Miller, Doble and Robinson voted in favor of the motion. m/s/c 4/0/0

Town Report

Board members confirmed receiving a rough draft of the town report via email for their edits. All noted that they had not contacted D. Bellante Holand with the recommendations. C. Doble informed the Board that it was not due until 01/10/22.

C. Alexander recommended that they follow through on the Chairman's request and submit their recommendations to the Chairman asap. B. Robinson agreed and thought they should be ready to review and approve a final draft by 01/05/2022.

Master Plan

C. Doble understood that D. Bellante Holand was working on a press release that was to go to the local newspapers next week. They contacted the consultant to inform her of the Board's decision, but as far as she knew J. Grande had not scheduled a meeting to begin the negotiations. C. Doble recalled that D. Bellante Holand was looking at Edgartown's work for their Master Plan and using the information to develop templates that they could use for their own purpose.

C. Alexander noted that she had received an email from D. Bellante Holand about the press release, but she did not include the attachment. C. Doble suggested working on the timeline, because they were already falling behind.

B. Robinson thought they may have to schedule a work session on 12/29/2021 to focus on the press release, obtain an update from J. Grande regarding the consultant and figure out how they were going to solicit members for the steering committee. E. Miller

inquired if the intent was to have everything ready by 01/01/22. B. Robinson replied in the affirmative. Following further discussions, the board agreed to meet for one hour on 12/29/21 at 10 AM. Board staff was to contact J. Grande regarding his availability.

E. Miller noted that the other consultants have asked for feedback from the Planning Board. She asked if they wanted to address the subject. C. Doble agreed and asked the Board if they preferred assigning the task to one board member or scheduling a meeting with each consultant. She was open to both options but felt that the Board had to discuss the information they wanted to present to the consultants. B. Robinson thought the Board could sent her their list for further discussion on 1/5/22.

E. Miller thought they should still respond to the consultants and inform them the Planning Board has received their request and will meet with them as soon as they negotiate a contract, because until then, both consultants were still under consideration.

C. Alexander thought they should delegate a board member for this task. Their meeting agendas did not give them any time to schedule these discussions.

5:42 PM Derrill Bazy Re: Pre-Application Conference: IHT, Leland Ave., AP 27A09
Attendance: Liz Volchok, Keith McGuire, Ross Seavey, Louisa Hufstader

Board members were curious to know if the lot in question was previously discussed by a different applicant. D. Bazy believed the confusion stemmed from Vineyard Land Survey's site plan, which erroneously listed Clark Ave as the street as opposed to Leland Ave.

D. Bazy noted that P. Jordi and D. Clark were interested in joining the discussions but could not make the meeting until 6PM. He asked if the Board would consider delaying the discussions a few minutes to accommodate P. Jordi and D. Clark. Board replied in the affirmative.

He explained that IHT were currently exploring the lot's purchase for the purpose of developing the property with a duplex under the multi-family bylaw. D. Bazy wanted to make sure to construct the duplex.

B. Robinson noted that Charles Gilstad was in attendance and notified the applicant that the Board had scheduled him at 5:45 PM. He recommended tabling the discussions temporarily to address the Form A Application.

The Board resumed the discussion at 6:01 PM. D. Bazy informed the Board that the surveyor superimposed the information he provided on the sketch he had prepared for tonight's presentation entitled Island Housing Trust – Parcel 27-A-9, dated 11/9/21 (scale = 1'-0"). He explained that the multi-family bylaw gave him the sense that IHT could pursue a multi-unit dwelling on the property. The screen shared diagram illustrated that they could comply with the setback requirement of the zoning district and maintain the 20 ft. minimum distance requirement between the septic area and basement.

D. Bazzy provided a conceptual drawing of the Greenwood Ave duplex as an example of the type of structure that may consider for the project. Each unit would have two bedrooms and a basement. He could not say at this time if they would be able to install a four-bedroom or six-bedroom septic system on the property because it depended on the site. For the present they were considering a total of four bedrooms and looking into their expansion for an additional bedroom each, provided they could install a large enough septic system, which may require the elimination of a basement. He thought they could just install a crawl space so that they did not have to worry about the Board of Health's separate requirement. Each unit was to be assigned two parking spaces.

L. Volchok added that IHT wanted to confirm that their proposal was applicable under section 04.04.02 to prepare a formal application. She was interested in soliciting the Planning Board's impressions and recommendations.

C. Alexander asked if the property was in the watershed. D. Bazzy thought he might be in the harbor watershed. C. Alexander asked that he confirm the information in the application. C. Alexander inquired about the units total square footage. D. Bazzy thought it was just under a 1000 sq. ft. B. Robinson replied (480 sq. ft. x2) or 960 sq. ft. per unit.

C. Alexander did a site visit, and thought the lot was somewhat small. She felt they might have to refine the location of the building. She inquired if they'd consider a single-family structure instead. D. Bazzy understood that the lot did not meet the requirements for a single-family residence. It was through the multi-family bylaw that they could develop the lot due to the size constraint. D. Bazzy noted that the building could be small, the design could be reduced.

R. Seavey added that the lot in question was a pre-existing, non-conforming lot. The lot in question was also held in common ownership with an adjacent lot thus rendering it non-buildable. The only way it could be developed was under section 04.04.02 with the grant of waivers from the Planning Board. He informed the Board that town counsel confirmed that they could develop the substandard lot (lot area) by special permit under 04.04.02.

B. Robinson inquired if they had an idea of the waivers. D. Bazzy replied in the affirmative, noting that they were going to request a shared septic system. E. Miller thought families were in dire need of housing and questioned whether a three-bedroom unit would be the best application. B. Robinson understood that they were installing a six-bedroom septic system. D. Bazzy noted that the lot was rather small so that three-bedroom units would be excessive. He added that the units had the capacity to convert the space behind the kitchen for a bedroom if they needed to expand. E. Miller questioned whether a three-bedroom unit and two-bedroom unit was feasible. D. Bazzy replied in the affirmative.

Additional discussions ensued with regards to the maximum capacity of the lot's development in terms of number of bedrooms. B. Robinson did not believe it precluded

their ability to have six bedrooms. He thought the ultimate number would hinge on the requirements of the septic system.

B. Robinson asked R. Seavey if the property would be deemed to have two frontages. R. Seavey replied in the negative.

C. Doble inquired if they had or planned to talk to the abutters. D. Bazzy replied in the affirmative, and noted that they spoken with the main abutters but planned to reach out to the neighborhood. L. Volchok mentioned that they planned to reach out to the abutters within the 300 ft. radius.

There being no further discussion, D. Bazzy thanked the Board for their assistance.

5:47 PM Charles Gilstad (Sourati Engineer Group) re: ANR, AP 26A08, 203 Daggett Ave.

Attendance: Derrill Bazzy (5:41 P), Liz Volchok, Keith McGuire (5:22 PM)

C. Gilstad noted that he had submitted a Form A Plan of Land with a proposal to divide the lot into two buildable parcels. The lot itself fronted on a public way e.g. Daggett Ave. as shown on a screen share of the Site Plan that was designed by Sourati Engineering Group for Carro D. Johnson on 11/1/2021.

C. Gilstad noted that the two lots met the frontage requirement for the zoning district and exceeded the land area requirement.

B. Robinson inquired if the house lot was going to retain the use of the smaller curb cut that was on the property and sever its use of the curb cut on Lot 2. C. Gilstad replied in the affirmative. C. Alexander noted that the smaller curb cut on Lot 1 was rustic and not well developed. B. Robinson questioned whether it was developed at all.

C. Alexander inquired if the 100 ft easement by the electric company had an impact on the application.

E. Miller inquired if she understood that the curb cut on Lot 1 had to be defined and established. C. Gilstad replied in the affirmative.

B. Robinson did not see an issue with the proposed ANR for Carro Johnson (203 Daggett Ave) and entertained a motion from the Board. C. Alexander moved to endorse the ANR as presented for Carro Johnson, E. Miller seconded the motion. B. Robinson roll called the Board: Doble, Miller, Alexander and Robinson voted in favor of the motion: m/s/c 4/0/0

BOARD DISCUSSIONS:

A. NEW BUSINESS

1. Development Guidelines for Perspective Applicants

2. Planning Board's Draft Annual Report
RE: D. Bellante-Holand's Draft

3. Master Plan RFQ
Re: Steering Committee (Presentation/Update at Select Board Mtg, Press Release, Update Website)

3. Upcoming TPB Calendar: Public Hearings, Appointments & Discussions

B. OLD BUSINESS

1. Water Resource Committee
Re: CWMP – Draft Needs Assessment

2. Committee Reports (Updates only)

A. Vision Forum

B. Land Bank Advisory Committee

C. Tisbury School Committee – C. Alexander was asked to join the committee as a private citizen. H. Chapdelaine stepped down as chairman and from the committee due to health issues. B. Robinson asked C. Alexander if she knew at what point the outstanding issues with the design that were raised by the community were going to be addressed.

C. Alexander replied that there were going to be opportunities for minor tweaks and suggestions, but not for the greater design of the building. B. Robinson hoped the community would be allowed to participate in the discussions pertain to design development. C. Alexander noted that she was working on the landscaping committee and heard they were soliciting C. Doble. C. Doble indicated that the Open Space and Recreation Committee was interested in providing input on the landscape design.

D. Community Preservation Committee

E. Water Resource Committee

F. Sewer Advisory Committee – C. Alexander reported that the committee had not met in a long time, but due to meet soon to clarify the committee's role (scope of address) in their advisory capacity to the Select Board.

G. Site Plan Review Board

H. Open Space and Recreation Committee

I. Energy Committee

J. All Island Planning Board - E. Miller reported that West Tisbury and Aquinnah have agreed to join the group, which will be meeting regularly on a monthly basis. Their next meeting is on 01/06/2022. She offered to send board members the zoom invite to join the meetings, which was intentionally structured to be an informal discussion. B. Robinson thought they should consider rotating board members, so that they could all attend without having a quorum.

K. Climate Committee

L. Tisbury Waterways Committee

M. Tisbury Housing Committee – B. Robinson indicated that he had been reaching out to Executive Committee Members of the Housing Bank Coalition to recommend that they strengthen their priority list and to add the statutory requirements to the list. He felt the information would allay some of the fears people had expressed about the housing bank's potential to spur development. He thought they could expand the proposal or clarify that they were also looking to repurpose existing homes or purchase existing dwellings and consider splitting the funds (70-30 or 75-25) for these uses. He felt they understood.

E. Miller believed the Executive Committee members have been listening and considering the proposals they've solicited from the general public. B. Robinson added that there was also some concern about raising the funding threshold to 240% because people felt they were being asked to subsidize market rate units or a funnel to new development.

C. Alexander inquired if they've done an impact study to analyze how it was going to impact the homes that were at the lower end of the market. She felt it would drive their market value up. B. Robinson recalled that Rachel Orr had sent the Executive Committee a host of financial questions that lead to broader questions about the financial burden of the down island towns. He felt the answers would not be available for years. They should have the mechanism in place to address them. B. Robinson believed the Tisbury FinCom were preparing to address some of the questions. E. Miller thought each community should have addressed these questions years ago and not rely on the housing bank for the solutions. B. Robinson understood.

2. Uses requiring a Special Permit

A. Main Street Medicinals – E. Miller & D. Bellante

B. MV Shipyard – C. Doble

C. Tisbury Marine Terminal – B. Robinson

D. 4 Beach Road LLC (Educomp) - C. Alexander

E. Hinckleys – E. Miller & B. Robinson

F. Patrick Lyons – 70 seat Restaurant (Bldg E) – C. Doble & P. Munafo

G. 5 McClellan Way (Carroll's Trucking) – B. Robinson

H. Jim Feiner – P. Harris

CORRESPONDENCE:

1. Martha's Vineyard Commission

A. Extended Meeting Schedule

B. LUPC Meeting

Other business not reasonably anticipated 48 hours in advance of meeting

PRO FORM

Meeting opened, conducted and closed in due form at 6:40 P.M.
(m/s/c 4/0/0)
Respectfully submitted.

Patricia V. Harris, Secretary

APPROVAL: Approved and accepted as official minutes.

Date

Benjamin Robinson
Chairman Pro Tem